

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards Ordinance

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: April Boswell **CONTACT:** Jeff Hopper **EXT.** 7377

Agenda Date 10/04/06 **Regular** ☒ **Work Session** ☐ **Briefing** ☐
 Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. Make a determination that the proposed Target Zone Building Height Alternative Standards Ordinance IS consistent with the Vision 2020 Plan; or
2. Make a determination that the proposed Target Zone Building Height Alternative Standards Ordinance IS NOT consistent with the Vision 2020 Plan.

(Countywide)

(Jeff Hopper, Senior Planner)

BACKGROUND:

On July 25, 2006, the Seminole County Board of County Commissioners authorized staff to initiate amendments to the County's Comprehensive Plan and Land Development Code, as necessary, to implement building height flexibility for specific unincorporated areas within the US 17-92 Community Redevelopment Area. The proposed "US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards" ordinance will amend the Land Development Code to create an option available in designated target zones within the CRA (detailed in Exhibit A of the proposed ordinance) whereby additional building height may be achieved if established design standards are met.

STAFF RECOMMENDATION:

Staff recommends that the Land Planning Agency (LPA) make a finding that the "US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards" ordinance is consistent with the Vision 2020 Plan, and recommend that the Board of County Commissioners ADOPT the ordinance.

Attachments: Proposed Ordinance
 Economic Impact Statement
 Property Rights Analysis

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. _____

AN ORDINANCE AMENDING CHAPTER 2 OF THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY BY ADDING DEFINITIONS AND AMENDING CHAPTER 30 OF THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY BY ADDING CHAPTER 30, PART 74, "US 17-92 COMMUNITY REDEVELOPMENT AREA TARGET ZONE HEIGHT ALTERNATIVE STANDARDS" AND SECTIONS 30.1501, PURPOSE AND INTENT; 30.1502, APPLICABILITY; 30.1503, APPLICATION REVIEW AND APPROVAL PROCEDURE; 30.1504, BUILDING HEIGHT LIMITS; 30.1505, SETBACKS; 30.1506, LAKEFRONT DEVELOPMENT; 30.1507, BUFFERING; 30.1508, OPEN SPACE; 30.1509, BUILDING DESIGN; AND 30.1510, STREET DESIGN; PROVIDING FOR INCREASED BUILDING HEIGHTS AND DEVELOPMENT DESIGN CRITERIA IN SELECTED LOCATIONS ALONG U.S. HIGHWAY 17-92; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that it has a responsibility to adopt land development regulations, including zoning and other land development controls, that adequately plan for and guide growth and development to ensure that existing rights of real property owners are preserved; and

WHEREAS, the Seminole County Comprehensive Plan has established objectives and policies that encourage infill development, redevelopment, and business growth along the US 17/92 Corridor in order to promote a strong economic base, preserve the quality of life, and reduce costs of extending urban services; and

WHEREAS, the Board of County Commissioners, sitting as the Community Redevelopment Agency (CRA), has determined that increased building heights, together with special development design criteria to foster compatibility with adjacent residential neighborhoods, would be beneficial to the County's US 17-92 redevelopment efforts; and

WHEREAS, the County has prepared a private property rights analysis relating to this Ordinance and has made the analysis available for public review in accordance with the requirements of the Seminole County Comprehensive Plan; and

WHEREAS, the County has prepared an economic impact statement relating to this Ordinance and has made the statement available for public review in accordance with the provisions of the Seminole County Home Rule Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:

Chapter 2. Amendment to Chapter 2, Land Development Code. Chapter 2, of the Land Development Code of Seminole County, is amended to add the following definitions:

"Arcade: A series of arches supported on columns along the primary building facades, creating cover for pedestrians."

"Awning: A roof-like cover of canvas extending over a window, doorway or deck, providing protection from the elements."

"Canopy: A projecting cover for pedestrians in the form of a roof-like structure, which may or may not be supported by columns, providing protection from the elements, usually in a continuous fashion."

"Corner Building Entrance: The primary entrance into a building located on the corner of an intersection of two primary, or a primary and secondary road; said entrance shall be located in the corner of the intersecting walls or

closely located near such intersection, to enable pedestrians approaching along both roadways to access the building.

"Corner Lot: A lot located on the corner of an intersection of two primary, or a primary and secondary, street."

"Cornice: A continuous projection at the uppermost portion of a building which defines its top."

"Cupola: A dome-shaped ornamental structure located on top of a larger roof or dome, often used as a lookout or to admit light and remove stale air."

"Dormer: A window set vertically into a small gable projecting from a sloping roof."

"Façade: The front of a building or any of its sides facing a public way or space, especially one distinguished by its architectural treatment; the exterior walls of a building exposed to public view."

"Fascia: A broad flat surface that is the outer edge of a cornice or roof."

"Fenestration: The design, proportioning and disposition of windows and other exterior openings of a building."

"Gable: A generally triangular section of a wall at the end of a pitched roof, occupying the space between the two slopes of a roof."

"Mass: The overall bulk, size, physical volume, or magnitude of a structure or project."

"Opaque Materials: Materials that light cannot pass through."

"Porch: A roofed, open area, which may be screened, attached to or part of a building, and with direct access to or from it."

"Portico: A porch having a roof supported by columns, often leading to the entrance of a building."

"Primary Building Façade: The main façade of a building that faces the primary street."

"Public Entrance: An access into a building that is accessible by pedestrians from a street, a sidewalk or public walkway into the building interior."

"Scale: The relative size of a building when compared to other buildings, to its environment and to pedestrians."

"Setback: The minimum distance by which any building or structure must be separated from a street right-of-way or lot line."

"Step-back: A requirement for greater setbacks on successive vertical levels of a building in order to provide for air and light at the street level on the side of a building along a street.

"Transparency: The amount of clear glass on a building wall, particularly on the front façade of a store or other building accessible from a sidewalk or public walkway."

Chapter 30. Amendments to Chapter 30, Zoning Regulations. Chapter 30, of the Land Development Code of Seminole County, is amended to create Chapter 30, Part 74, "US 17-92 COMMUNITY REDEVELOPMENT AREA TARGET ZONE HEIGHT ALTERNATIVE STANDARDS" and Sections 30.1501, Purpose and Intent; 30.1502, Applicability; 30.1503, Application Review and Approval Procedure, 30.1504 Building Height Limits; 30.1505, Setbacks; 30.1506, Lakefront Development; 30.1507, Buffering; 30.1508, Open Space; 30.1509, Building Design; and 30.1510, Street Design as follows:

Section 30. 1501 Purpose and Intent

In order to promote redevelopment and revitalization of the US 17-92 Community Redevelopment Area (CRA), the intent of the US 17-92 COMMUNITY REDEVELOPMENT AREA TARGET ZONE HEIGHT ALTERNATIVE STANDARDS is to allow changes to height standards in specific target zones within the CRA where specified design criteria are met.

The alternative height allowances established for each zone, as depicted in Exhibit A and described herein, were developed based on an analysis of the distance between the subject parcels within a target zone from existing adjacent single-family residential land uses.

Section 30.1502 Applicability

The US 17-92 COMMUNITY REDEVELOPMENT AREA TARGET ZONE HEIGHT ALTERNATIVE STANDARDS is not a separate zoning classification, but establishes standards by which additional building heights are permitted within the established target zones where specified design criteria are met.

The provisions of this part apply only where a building height of greater than 35 feet is proposed upon a parcel included within the CRA legal description where such parcel is depicted as within a target zone in the attached Exhibit A and is located within unincorporated Seminole County, Florida.

Section 30.1503 Application Review and Approval Procedure

The provisions of Chapter 40, Site Plan Approval shall govern.

The applicant shall submit architectural renderings of the proposed building and a color palette for the exterior of the proposed building simultaneously with the site plan.

Underlying PUD or PCD zoning districts, and/or Developments of Regional Impact (DRIs) may require additional procedures as required by the Land Development Code of Seminole County and State Law.

Section 30.1504 Building Height Limits

1. Building heights exceeding 35 feet shall be permitted subject to the limitations shown in Exhibit A and the provisions of this Part.

Section 30.1505 Setbacks

1. (a) Except as provided in (b) below, structures abutting US 17-92 shall be set back a minimum of 25 feet. On a corner lot, the setback from a side street shall be equal to the setback from US 17-92.
(b) Buildings fronting a public or private street, including but not limited to US 17-92, may be permitted with no minimum setback with the approval of the Development Review Manager. Such approval shall be based on sight visibility at intersections, vehicular access, stormwater management, public safety, and efficient use of public facilities. Where the proposed setback is between 0 and 25 feet, the following features are permitted within the setback area provided they do not overhang or encroach into the public right-of-way:
 - (a) Outdoor cafes where seating is located in front of the primary building façade;
 - (b) Awnings;
 - (c) Canopies;
 - (d) Arcades.
2. The following setbacks from single family residential uses apply for buildings of greater than 35 feet in height:

Height (feet)	Setback
36-45	50'
46-55	80'
greater than 55	110'

For purposes of this section, incremental measurements between feet will be rounded to the nearest whole number.

Setbacks from single family residential uses shall not be waived.

Section 30.1506 Lakefront Development

1. Building Separation. On parcels of two acres or greater which front on a lake, each building shall have a maximum footprint of 20,000 square feet. Separate buildings on a single parcel shall be separated by a distance equal to the average height of all buildings on the property.

The area(s) between buildings shall provide a clear and unobstructed view between the water and the US 17-92 right-of-way. Facilities or equipment, including but not limited to pool enclosures, mechanical equipment, and service areas shall not be located between the buildings.

2. Setbacks. Structures on property adjacent to a lake shall be located outside of 100-year floodplain or wetland areas. In addition, the following setbacks from the ordinary high water elevation on any lake shall apply, and shall not be waived:

Height (feet)	Setback
36-45	50'
46-55	80'
greater than 55	110'

For purposes of this section, incremental measurements between feet will be rounded to the nearest whole number.

Section 30. 1507 Buffering

1. (a) Where property containing a commercial use abuts property containing an existing single family residential use or property in a single family residential zoning classification, a buffer meeting the following criteria shall be provided along the common property line:

Proposed Building Height	Minimum Buffer Width	Structure Required	Plantings per 100'		
			Canopy	Understory	Shrubs
35'	10'	6' masonry wall	2	3	30

Proposed Building Height	Minimum Buffer Width	Structure Required	Plantings per 100'		
			Canopy	Understory	Shrubs
35'	15'	6' stockade fence	2	4	34
50'	15'	6' masonry wall	3	5	40
50'+	25'	6' masonry wall	3	6	46

- (b) Where property containing a commercial use abuts property in a multi-family residential zoning classification or property containing existing multi-family or townhouse development in any zoning classification, a buffer meeting the following criteria shall be provided along the common property line:

Minimum Buffer Width	Structure Required	Plantings per 100'		
		Canopy	Understory	Shrubs
5'	4' fence	1	2	17

2. Where property containing a commercial use abuts property in a commercial or industrial zoning classification, a buffer meeting the following criteria shall be provided along the common property line:

Minimum Buffer Width	Structure Required	Plantings per 100'		
		Canopy	Understory	Shrubs
5'	none	1	2	17

3. (a) Where property containing a commercial use abuts a public right-of-way, the following buffers shall be provided:

Road	Minimum Buffer Width	Plantings per 100'		
		Canopy	Understory	Shrubs
Arterial	25'	3	6	31
Arterial	15'	4	8	34
Collector	10'	2	4	28
Local	5'	1	2	17

- (b) Where a building setback of less than 25 feet is authorized under Section 30.1505(1)(b), the buffer area may contain impervious surfaces, and landscaping may consist of potted plants. At a minimum, a 36" diameter pot by 24" high shall be provided for every 20 feet of building frontage.

The height of the main plant shall be at least twice the height of the pot. Low growing, flowering annuals shall be planted around the base of the main plant.

4. Where required within a buffer, a 6-foot masonry wall shall be covered with a stucco veneer, and located entirely within the subject property, including all structural elements such as columns and footers. Design shall be such that construction and maintenance activities will not encroach on abutting residential property.
5. Buffer plant species shall be chosen from the list of approved species provided in the Seminole County Land Development Code. At the time of planting, buffer plants shall meet the following specifications:
 - (a) canopy tree: 3" diameter as measured 1' above ground
 - (b) understory tree: 1.5" diameter as measured 1' above ground
 - (c) shrubs: 3' in height
6. The property owner shall be responsible for irrigation and maintenance of all plants and plant materials required under these regulations. Dead plants shall be replaced subject to seasonal conditions that favor survival, but in all cases within one year.

Section 30. 1508 Open Space

1. Parcels of less than 5 acres shall not be required to provide open space.
2. For parcels of 5 acres or greater, minimum open space shall be 15 percent of the gross site area.
3. Open space areas shall be accessible for use as active/passive recreation.
4. Open space area shall not be fenced and shall not contain mechanical units and equipment, storage areas, or other service-related functions.
5. Open space areas may include stormwater retention ponds subject to Section 30.1344, and shall include at least two of the following features:
 - (a) outdoor patio/café seating areas;
 - (b) pedestrian plazas/kiosk areas;
 - (c) water features with sitting areas;
 - (d) continuous walkways linking buildings to one another.

Section 30.1509 Building Design

Buildings shall be compatible with existing buildings on the parcel and abutting parcels, and shall include common design elements as follows:

1. Building Details

The following components shall be incorporated within all building facades facing residential uses:

- (a) Awnings, canopies, arcades. Awnings, canopies or arcades shall be required over all doors, windows and other transparent elements. The height of the awnings, canopies or arcades shall be between 8 feet and 12 feet, and shall be a minimum of 4 feet in depth. Such elements may not encroach into the setback.
- (b) Cornices. A cornice shall be provided on the side of a building facing a residential use and/or US 17-92 at a minimum of 12 feet above the sidewalk or at a height similar to the cornice on an abutting property, but in no case shall the cornice exceed 35 feet.
- (c) Front Entrance. Non-residential buildings shall have a front entrance for pedestrians from the street-side of the building to the building interior. For buildings that are open to the public, this entrance shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish to emphasize their front entrances.
- (d) Building Façade. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet at grade, whichever applies to the proposed development. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the street. All buildings, excluding single family detached homes, shall utilize at least three of the following design features along all elevations of the building:
 - (a) Divisions or breaks in materials (materials shall be drawn from a common palette)
 - (b) Window bays
 - (c) Separate entrances and entry treatments, porticoes
 - (d) Variation in roof lines

- (e) Awnings
- (f) Dormers
- (g) Gables
- (h) Recessed entries
- (i) Covered porch entries
- (j) Cupolas

2. Storefront Character

Buildings shall provide the following architectural features on the building frontage exterior:

- (a) Corner lots shall contain corner building entrances.
- (b) Regularly spaced and similar-shaped windows with window hoods or trim for each story within a building.
- (c) Large display windows on the ground floor. All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40% and a maximum 80% of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50% of any building side and shall not exceed 20 linear feet without being interrupted by a window or entry, or other fenestration element. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement on any street-facing, park-facing, or plaza-facing building side.

3. Windows and Transparency

The following provisions shall be met for all non-residential buildings:

- (a) The ground floor of all street-facing, park-facing, and plaza-facing structures, and facades facing a residential use, shall have windows covering a minimum of 40% and a maximum 80% of the ground floor of each storefront's linear frontage. Mirrored glass and glass block cannot be used in meeting this requirement, although energy-saving window tinting with a minimum of 40% light transmittance shall be permitted. Display windows may be used to meet this requirement, but the window glass must be transparent and the display structure(s) shall be convertible to result in regular windows.
- (b) Opaque materials behind displays that hide the interiors of buildings are prohibited unless the window display volume is filled with changeable display merchandise.
- (c) Display windows shall be lit at night.

- (d) The lower edge of a ground floor window shall be no more than 2.5 feet above finished floor level. The upper edge shall be no more than 6.5 feet above finished floor level. Reflective glass is prohibited.

4. Public Entrance

Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to the entrances.

5. Stepbacks

Stepbacks shall be provided in a building to provide for air and light at the street level on the side of a building along a street as follows:

- (a) At the cornice between 12 and 35 feet, a step-back of at least 10 feet.
- (b) At a level between the 4th and 10th floors, an additional step-back of at least 10 feet, or multiple step-backs which total a minimum of at least 10 feet.

6. Exterior Lighting on Buildings

Exterior lighting shall be directed at the building itself without illuminating other areas of the site.

7. Massing

Buildings taller than 45 feet in height shall display at least one of the following designs for the top of the building: step backs at the top floor, a prominent projecting cornice, or a roof with a form such as a curve, slope, or peak. The Development Review Manager may approve alternative designs for the top of the building.

8. Parking Garage

Structured parking decks and surface parking shall be located on portions of the site not abutting residential zoned property. Perimeter landscaping for parking garages shall be the same as for surface parking lots. However, no perimeter landscaping shall be required for any portion of the parking garage frontage that incorporates other ground floor uses. Interior landscaping requirements for surface parking lots shall be met in parking garages by providing

hanging baskets, landscape planters and/or flower boxes around the exterior of the first 3 levels of the parking garage structure, such that the amount of landscaping shall be approximately equal to that required for interior landscaping for a surface parking lot of equal capacity. Parking structures that permit access from US 17-92 or internal streets shall comply with the following requirements:

- (a) Direct pedestrian access from parking garages to each adjacent street shall be provided.
- (b) Except for vehicle entrances as described below, the ground floor shall be developed with enclosed commercial or civic floor space to a minimum building depth of 30 feet along the entire length of the structure on each adjacent street, unless separated from the street by another building, parking lot and/or landscaped open space with a minimum depth of 30 feet.
- (c) Vehicle entrances to parking structures shall be a maximum of 48 feet in width and shall be separated from other vehicle access to and from the structure or other parking structures on the same side of the block by a minimum distance of 400 feet.

9. Outdoor Seating for a Café or Restaurant

Where outdoor seating is provided adjacent to a street, the following requirements shall be met:

- (a) A public sidewalk shall be provided along the street;
- (b) Tables shall not encroach into the sidewalk; and
- (c) There shall be an open and accessible area, not blocked by tables, connecting the sidewalk to the front door.

10. Building Color

The dominant color of the exterior of proposed buildings shall be an earthtone color. The following colors are prohibited: aquamarine, bright or hunters orange, chartreuse, cherry or "fire engine" red, chrome yellow, all day-glo colors, purple, turquoise, fluorescent colors. The following earthtone colors are recommended as primary exterior colors: almond, bluegrass, brick, burgundy, cedar beige, chamois, cobblestone, cordovan, cream, driftwood gray, Monterey pine, peacock green, puce, rose quartz, topaz. Other colors within the above earthtone color scheme may also be approved by the Development Review Manager.

Section 30.1510 Street Design

Street design shall provide cross access for small scale redevelopment (up to 5 acres) and large scale redevelopment (5 acres and greater)

1. Cross Access Easements

A system of joint use driveways and cross access easements shall be established wherever feasible along US 17-92, and the building site shall incorporate the following:

- (a) A continuous service drive or cross access extending the entire length of each parcel served to provide for driveway separation consistent with access management classification system and standards.
- (b) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;
- (c) A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

2. Internal Street Design (large scale development)

Large scale development having internal streets intended to encourage pedestrian use shall be designed to the following standards:

- (a) Existing or new streets, whether public or private, shall divide the site into blocks. Block lengths shall be between 200 and 500 feet. For blocks longer than 500 feet, pedestrian midblock crossings are required.
- (b) New internal streets shall be designed as outlined in the following chart:

Required Elements of Internal Street Design

Number of Travel Lanes	2, two-way
Width of Travel Lanes	10'
Parking Lane	Both sides, every block
Parking Lane Width	7'
Sidewalks	Both sides, every block
Sidewalk Width	11'
Sidewalk Uses	Furniture*, walking, cafes

Required Elements of Internal Street Design

Planting Strip Width	None (wide sidewalk adjacent to parking lane)
Urban Landscape	At a minimum, a 36" diameter pot by 24" high shall be provided for every 20 feet of building frontage. The potted plant shall be twice as high as the height of the pot. Low growing, flowering annuals shall also be planted at the top of the pot.
Landscaping	Street trees in wells
Traffic Calming	Bulb-outs, pavement texture, raised crosswalks

* Furniture includes those features associated with a street that are intended to enhance the street's physical character and use by pedestrians, including benches, bus shelters, trash receptacles, planting containers, pedestrian lighting, and kiosks.

EXHIBIT A

TARGET ZONE MAPS (attached)

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provision of this Ordinance are declared severable.

Section 4. Codification. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Land Development Code of Seminole County, Florida and the word "Ordinance" may be changed to "Section," "Article," or other appropriate word or phrase and the sections of this

Ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 3, 4 and 5 shall not be codified.

Section 5. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners in accordance with Section 125.66, Florida Statutes.

ENACTED this 7TH day of November 2006.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
CARLTON D. HENLEY,
Chairman

ATTACHMENT B

**Seminole County
ECONOMIC IMPACT ANALYSIS**

Building Height Alternative Standards Ordinance

Date:	10/24/06	Department/Division:	Planning and Development/ Planning Division
Contact:	Jeff Hopper	Phone:	407-665-7377
Action:	Amendment of the Land Development Code to establish regulations to permit additional height and building design standards on US 17-92.		
Topic:	US 17-92 Building Height Overlay Ordinance		

Describe Project/Proposal

The proposed amendments to the County's Land Development Code (LDC) are intended to promote redevelopment at key locations along the US 17-92 corridor. The US 17-92 corridor is an established Community Redevelopment Area (CRA) in Seminole County. The proposed LDC amendments provide for an additional building height allowance at target locations along the corridor. These amendments are intended to provide an economic incentive to help spur redevelopment along the US 17-92 corridor.

Describe the Direct Economic Impact of the Project/Proposal upon the Operation of the County

The direct economic impacts associated with the proposed LDC amendments are expected to be strongly positive. The ability to achieve greater building heights, in key locations, will provide incentive to redevelop by enabling greater returns per unit of land area, all else being equal. Moreover, the ability to build at greater heights will make feasible development products that would not have ordinarily developed under current height standards (e.g., vertically mixed use buildings).

Describe the Direct Economic Impact of the Project/Proposal upon the Property Owners/Tax Payers/Citizens who are Expected to be Affected

The proposed additional height standards are expected to be beneficial to property owners within target areas. Adjacent property owners should likewise be positively influenced through elevating property values and through design criteria intended to shield adjacent owners from external impacts.

Identify Any Potential Indirect Economic Impacts, Positive or Negative, Which Might Occur as a Result of the Adoption of the Ordinance

Eventual development within target zones should take advantage of additional height allowances provided in the proposed amendments. Building at greater heights is expected to produce substantial positive indirect impacts in the form of spending by firms that do business with the new development and through the creation of new businesses and residences along the US 17-92 corridor.

ATTACHMENT C

Seminole County PRIVATE PROPERTY RIGHTS ANALYSIS Target Zone Height Alternative Standards Ordinance

Date:	10/24/06	Department/Division:	Planning and Development/ Planning Division
Contact:	Jeff Hopper	Phone:	407-665-7377
Action:	Amendment of the Land Development Code to establish regulations to permit additional height and building design standards on US 17-92.		
Topic:	US 17-92 Target Zone Building Height Alternative Standards Ordinance		

Describe Project/Proposal

The proposed target zone building height alternative standards ordinance would raise allowable building heights to a maximum of 10 stories in selected areas of unincorporated Seminole County along the US-17-92 corridor. The ordinance also would establish building design standards and buffering requirements for taller buildings adjacent to single family residential development.

Estimated Economic Impact on Individuals, Businesses, or Government

Impacts to individuals and businesses may result from complying with these proposed changes to the land development regulations. In complying with the new regulations, developers will be required to make increased investments in building design/appearance, and also in landscaping to buffer the impacts of proposed development from adjoining residential uses. However, the increase in permitted building height and enhanced appearance of structures may improve the economic viability of a development enough to offset those increased investments.

Impacts to government should be minimal, consisting primarily of development review functions to implement the new regulations when development proposals are received. Existing County staff have the skills and abilities needed to implement the regulations.

Note:

Existing development rights with respect to the types of permitted uses are based on future land use designations of the Seminole County Comprehensive Plan and zoning classifications of the Land Development Code. Aside from the requirements discussed above, no changes in development rights will be created by this ordinance.

Seminole County recognizes that it has the responsibility and duty to both insure that public facilities are available concurrent with the impacts of development and to protect private property rights, which have vested in owners of parcels of real property.

Objective FLU 12 Private Property Rights Act, of the Seminole County Comprehensive Plan (Vision 2020 Plan) states: "The County shall fully implement the provisions of the Bert J. Harris, Jr., Private Property Rights Protection Act (Section 1, Chapter 95-181, Laws of Florida). Each staff recommendation relative to any land use decision shall consider the provisions of that Act and other general principles of law relating to the appropriate regulation of land without said regulation resulting in the taking of private property rights."

Anticipated New, Increased or Decreased Revenues

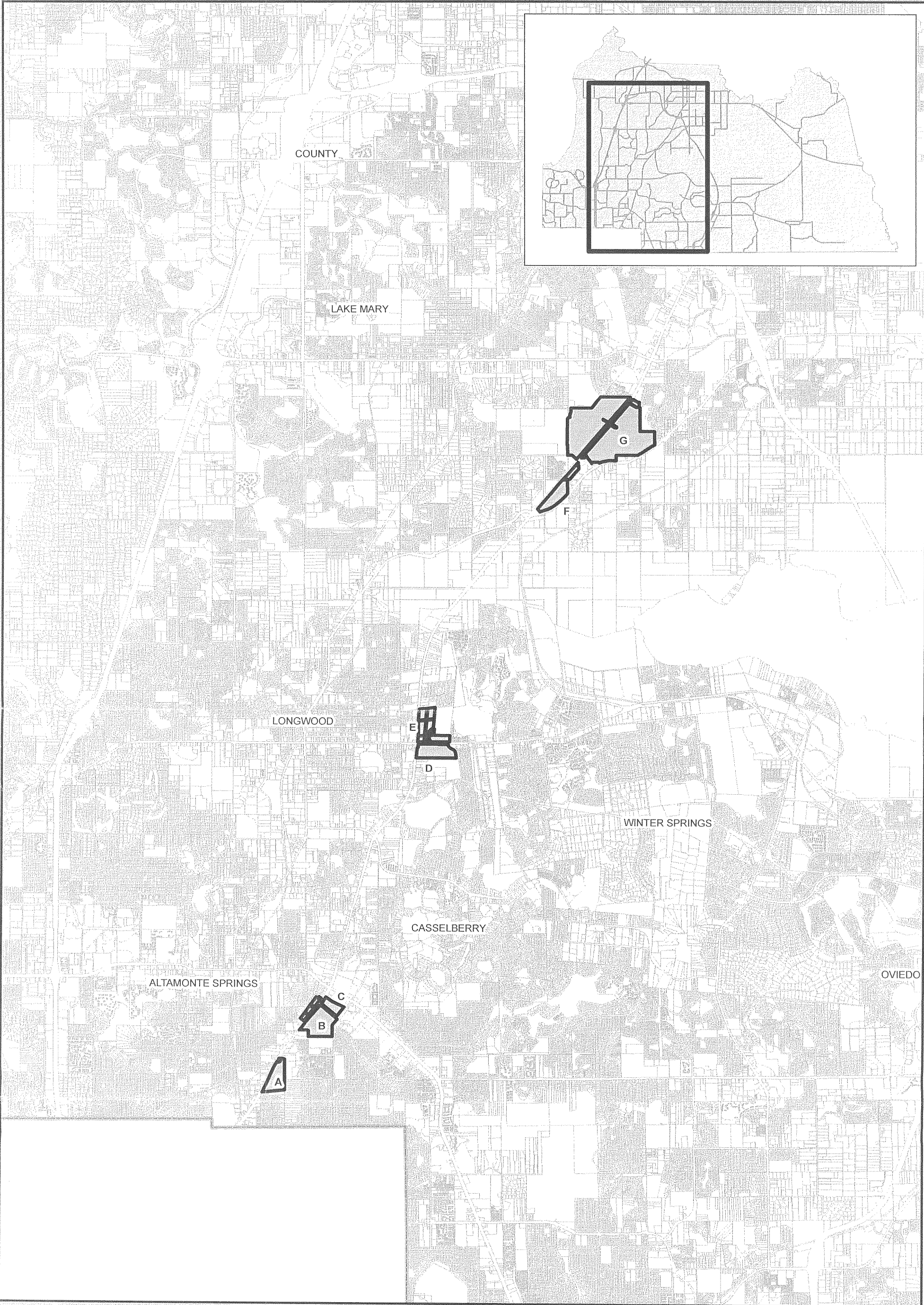
These amendments may affect revenues relating to the cost to local government in implementing new regulations and revenues generated from business and/or individuals to comply with new policies.

Method Used in Determining Analysis

The method of analysis involved the potential impacts from adopting the proposed amendments to the Seminole County Comprehensive Plan (Vision 2020 Plan) and professional expertise.

Citation

Seminole County Comprehensive Plan (Vision 2020 Plan).



**17-92 Community
Redevelopment Area
Target Zone Height Limits**

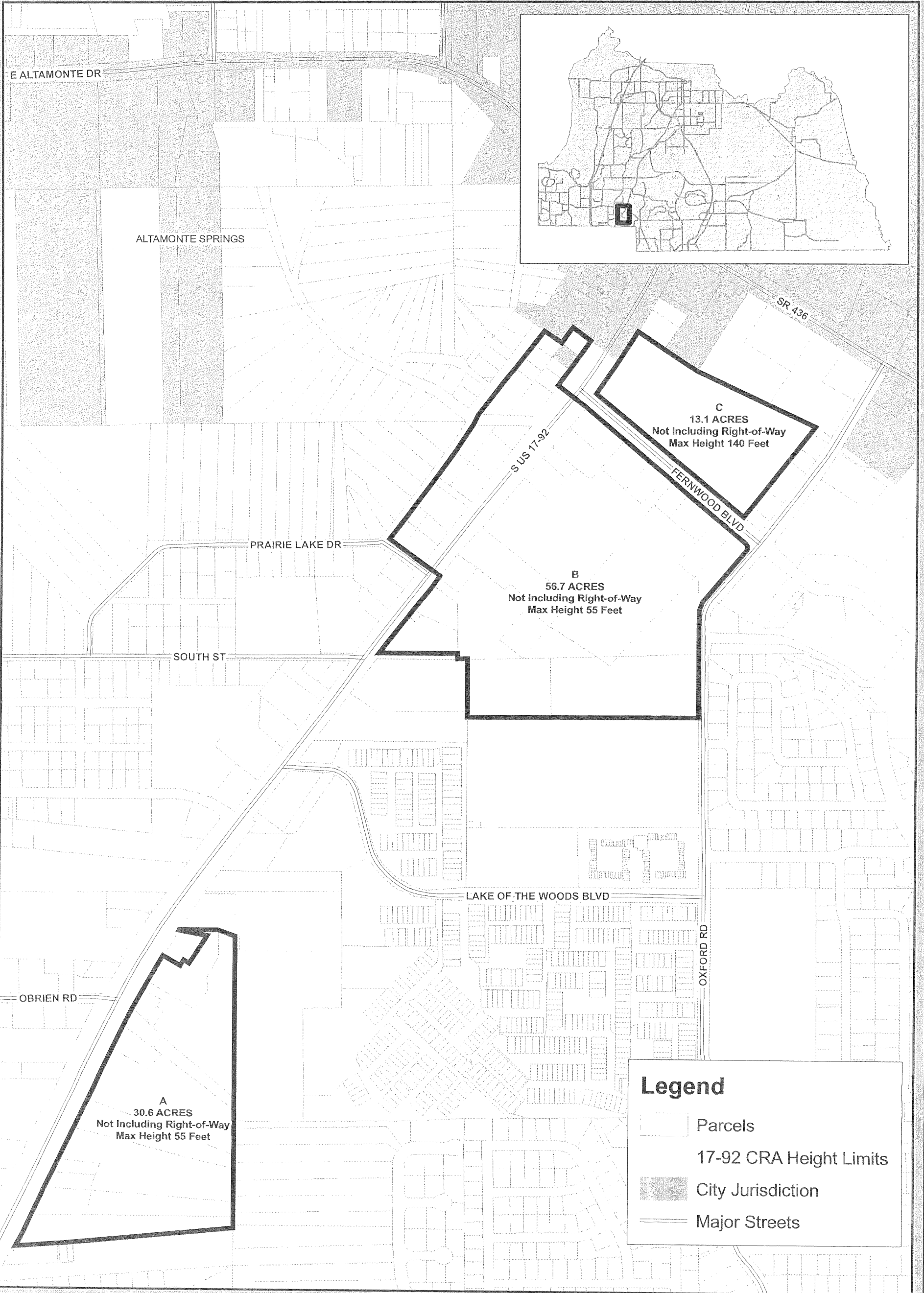
Exhibit A, Page 1 of 4

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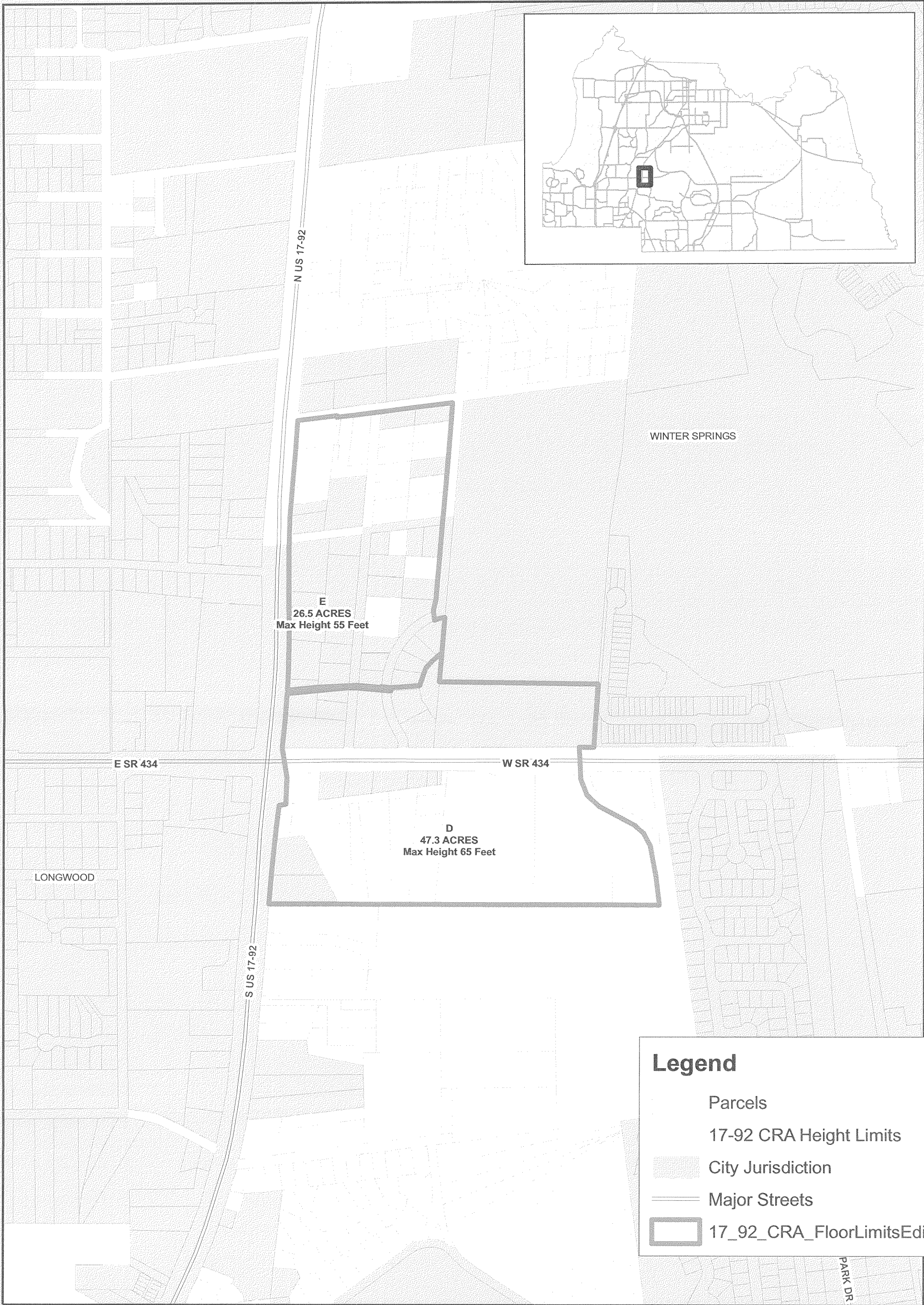
**17-92 Community
Redevelopment Area**
Target Zone Height Limits, Sites A, B & C
Exhibit A, Page 2 of 4

9/21/2006



City Jurisdiction is for Purposes of Illustration Only.

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17-92 Community Redevelopment Agency

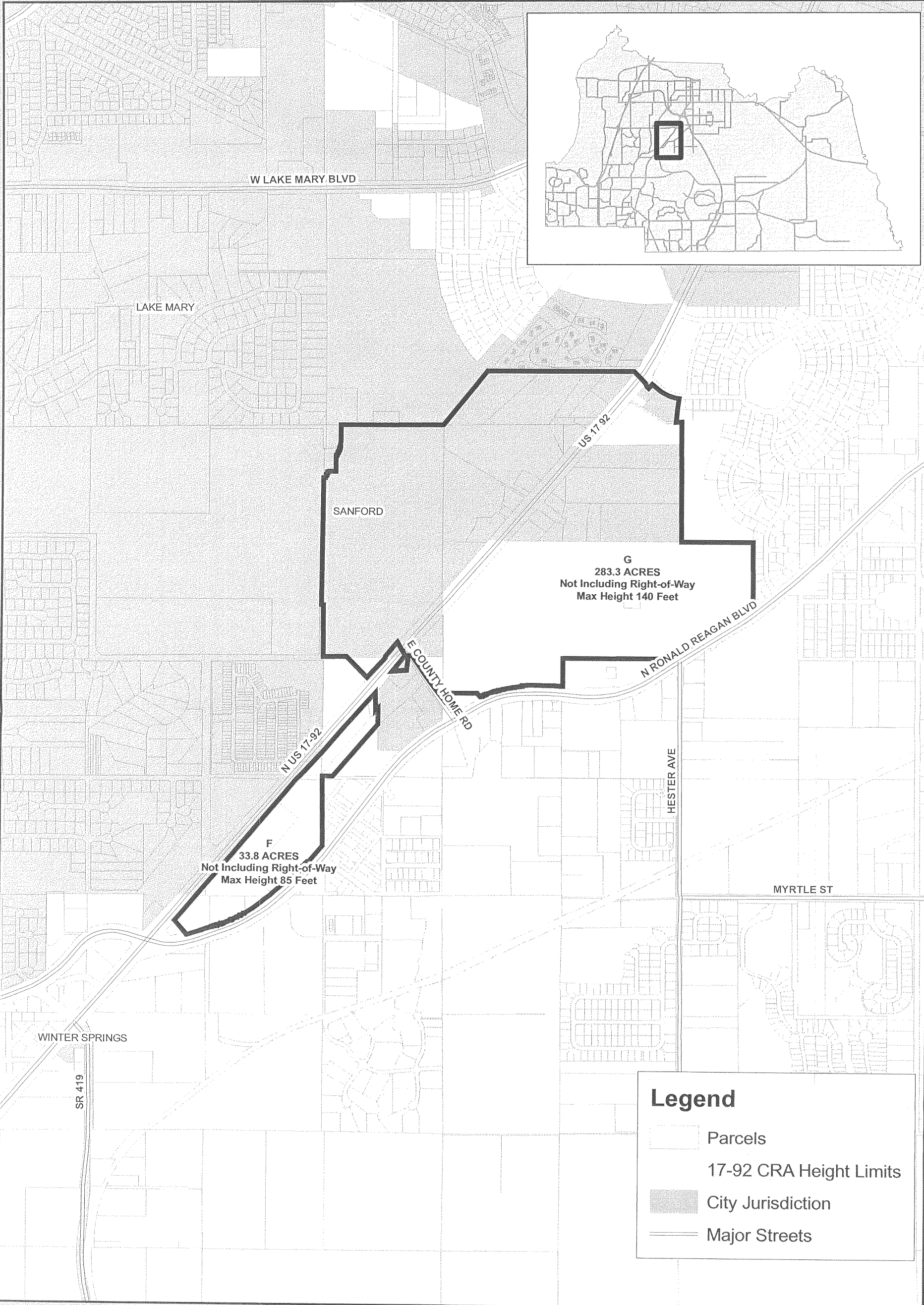
Target Zone Height Limits, Sites D & E
Exhibit A, Page 3 of 4

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17-92 Community Redevelopment Area

Target Zone Height Limits, Sites F & G
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